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REVENUE SECRETARIAT

ORDER.

Bangalore dated 25th January '965.

S. O. 1869 a.— In exercise of the powers conferred by sub-rules (2) and (3) of rule 125 of the Defence of India Rules, 1962, read with sub-rule (9) of that rule and of all other powers hereunto enabling, the Government of Mysore hereby makes the following order namely :

1. Title, extent and commencement (1) This order may be called the Mysore Paddy and Rice Procurement (Levy) Order 1965;

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force at once.

2. Definitions.—In this order, unless the context otherwise requires :

(*a*) 'Controlled price' in relation to any variety of paddy or rice, means the maximum price fixed for that variety in an order made under section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), and for the time being in force ;

(*b*) 'Enforcement Officer' means an officer not below the rank of a Revenue Inspector appointed as Enforcement Officer by the Deputy Commissioner and includes the Director of Food Supplies in Mysore for the entire State, the Deputy Commissioner, the Assistant Commissioner and the Tahsildar within their respective jurisdiction ;

(*c*) 'Licensed miller' means the owner or other person in charge of a rice mill holding a valid licence under the Rice Milling Industry (Regulation) Act, 1958 (Central Act 21 of 1958) ;

(*d*) 'Purchase Officer' means the Director of Food Supplies in Mysore for the entire State, the Deputy Commissioner, the Assistant Commissioner and the Tahsildar within their respective jurisdiction ;

(*e*) 'Rice Mill' means the plant and machinery with which, and the premises including the precincts thereof in which, or in any part of which, rice milling operation is carried on ;

(*f*) 'Schedule' means the Schedule appended to this order ;

(*g*) 'State Government' means the Government of the State of Mysore.

3. Levy on paddy or rice.—(1) Every licensed miller shall sell to the Purchase Officer at the controlled price—

(i) fifty per cent of the total quantity of rice produced or manufactured by him in his rice mill every day ; or

(ii) at the option of the Purchase Officer, fifty per-cent of the total quantity of paddy proposed to be milled in his rice mill every day.

(2) Notwithstanding anything contained in sub-clause (1), if a licensed miller makes a declaration that any stock of paddy held by him for milling at any time on any day or any stock of rice milled and held by him at any time on any day, is held by him on behalf of any other person and proves so to the satisfaction of the Purchase Officer

that such stock is so held, the person to whom such stock belongs shall sell to the Purchase Officer at the controlled price and at the option of such officer, fifty per cent of the said stock of paddy or fifty per cent of the said stock of rice as the case may be.

(3) The paddy or rice required to be sold to the Purchase Officer by the licensed miller under sub-clause (1) or by the person referred to in sub-clause (2) and liable to sell the paddy or rice under that sub-clause shall be delivered to the Purchase Officer or to such other person as may be authorised in this behalf by the Purchase Officer.

4. Grant of certificate exempting from sale under Clause 3.—(1) No person who has sold to the Purchase Officer at the controlled price such quantity of paddy calculated on the basis of the scales specified in the Schedule and who holds a certificate granted under sub-clause (3) by the Tahsildar of the Taluk shall be liable to sell paddy or rice under clause 3 to the extent of the paddy permitted to be held by him under such certificate.

(2) Every person who is an owner or tenant of any land or is otherwise in possession of any land, and who requires a certificate referred to in sub-clause 1), shall make an application in writing with a declaration duly signed by him to the Tahsildar of the Taluk in which the land is situate specifying the extent and class of land held by him, the total yield of paddy from the land held by him, the quantity of paddy from out of the total yield to which he is entitled, the quantity of paddy which he has sold to the Government and the quantity of paddy in respect of which a certificate is required. The application shall be accompanied by the receipt issued by the Purchase Officer in respect of the paddy sold by him to the Government.

(3) The Tahsildar shall, after satisfying himself about the correctness of the particulars furnished by the applicant and about the fact of the applicant having sold to the Government at the controlled prices, such quantity of paddy calculated on the basis of the scales specified in the

Schedule, grant of a certificate specifying the quantity of paddy remaining with the applicant in respect of which the certificate has been applied for.

(4) Notwithstanding anything contained in sub-clauses (1), (2) and (3), on the application of a person who cultivates land personally the Deputy Commissioner may, on being satisfied that the quantity of paddy grown by him and in his possession is not more than the quantity required by himself, the members of his family and the servants living with him, for a period of one year, calculated at the rate of eighteen ounces of paddy for each adult member, grant a certificate permitting him to get such quantity of paddy hulled without being liable to such paddy under clause 3.

Explanation.—For purpose of this sub-clause, a person shall be deemed to cultivate the land personally if he cultivates such land by his own labour or by the labour of any member of his family or by hired labour or by servants on wages payable in cash or kind, but not in crop share, under the personal supervision of such person or any member of his family.

(5) Whenever paddy in respect of which a certificate granted under sub-clause (3) or sub-clause (4) is hulled in any rice mill, the licensed miller and the Purchase Officer shall endorse on such certificate, the quantity milled; and thereafter for purposes of sub clause (1) or sub-clause 4) as the case may be, such certificate shall be operative only to the extent of such quantity of paddy as has not been milled.

5. **Furnishing of false particulars.**—If any person who makes an application under clause 4 makes any statement or furnishes any information which he knows or has reasonable cause to believe to be false or not true or incorrect in any material particular he shall be deemed to have contravened this order.

6. **Powers of entry, search and seizure.**—Any Enforcement Officer may, with a view to securing compliance with

this order or to satisfying himself that this order has been complied with :

(i) enter, with such assistance as may be necessary, any rice mill where he has reason to believe that paddy or rice is produced or stocked ;

(ii) (*a*) ask of any person all necessary questions ;

(*b*) ask of any miller or other person subjected to levy under this order to maintain and furnish such return as may be prescribed, to the Purchas Officer ;

(iii) examine any books or documents ;

(iv) search, and so far as may be necessary for that purpose, detain any person or seize paddy or rice found in such person's possession in respect of which he has reason to believe that a contravention of any of the provisions of this order has been, is being or is about to be committed and thereafter take or authorise the taking of all measures necessary for the production of the stocks so seized, in a court and for their safe custody, pending such production.

SCHEDULE

Extent of land	Class of land	Quantity of paddy to be sold
Up to 3 acres.	Khar lands	Half a quintal per acre.
	Rainfed wet lands	One quintal per acre.
	Irrigated lands	Two quintals per acre.
3 acres and above and up to 5 acres.	Khar lands	One quintal per acre.
	Rainfed wet lands	Two quintals per acre.
	Irrigated lands	Four quintals per acre.
acres and above and up to 10 acres.	Khar lands	One and a half quintal per acre.
	Rainfed wet lands	Three quintals per acre.
	Irrigated lands	Six quintals per acre.
10 acres and above.	Khar lands	Two quintals per acre
	Rainfed wet lands	Four quintals per acre.
	Irrigated lands	Eight quintals per acre.

Explanation.—The expression 'Khar lands' shall have the same meaning as in the Mysore Land Improvement Act, 1961.

[No. RD 44 EFP 65.]

By Order and in the name of the Governor of Mysore,

N. NARASIMHA RAU, *Secy.*

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